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In re Application of  
Kaneko Yoshinobu *et al*  
Application No. 10/056,073  
Filed: January 28, 2002

)  
) **COMMUNICATION RE**  
) **PROTEST**  
)

A protest directed to the above-identified application. It appears from PTO records that this application was published on July 31, 2003, and subsequently issued as US Patent No. 6,783,423 on August 31, 2004.

The protest was filed after publication of the application. For at least that reason, it is not being entered in the application file. See 37 CFR 1.192(a)(1). In addition, the protest does not indicate that it was served on applicants. Therefore, the original protest is enclosed with this letter. See MPEP § 1901.06 subsection entitled "Protest Filed After Allowance Or The Publication Of The Application." No duplicate of the protest was filed with the original protest.

The protest could not be considered under 37 CFR 1.99 as a third-party submission in a published application, at least the reason that the fee required under 37 CFR 1.99(b)(1) was not submitted.

Stephen Marcus  
Special Programs Examiner  
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Enclosure: Protest (4 pages)